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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/604,538

07/29/2003

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UV-439

1537

23410 7590 11/28/2007  
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EXAMINER

DUFFIELD, JEREMY S

ART UNIT

PAPER NUMBER

4178

MAIL DATE

DELIVERY MODE

11/28/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/604,538	<b>Applicant(s)</b> KRAKIRIAN ET AL.	
	<b>Examiner</b> Jeremy Duffield	<b>Art Unit</b> 4178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>04 Nov 2004</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-4, 7-11, 14-18, and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaminski (US 2002/0199185).

Regarding claim 1, Kaminski teaches a method for accessing one or more interface screens associated with a video recorder (Para. 78, lines 6-11), comprising:

providing one of said interface screens, i.e. recording schedule (Para. 78, lines 6-11);

providing an input device having one or more input points, i.e. remote control (Fig. 4, el. 471, 472, 473);

associating each of said input points with each of said interface screens, i.e. pressing "C" to go to the recording schedule (Para. 78, lines 6-11; Fig. 8); and

accessing any of said one or more interface screens by actuating one of said input points with a single keystroke (Para. 78, lines 6-11).

Regarding claim 2, Kaminski teaches the input device is a remote control (Fig. 4).

Regarding claim 3, Kaminski teaches the input points are buttons on said remote control (Fig. 4, el. 471, 472, 473).

Regarding claim 4, Kaminski teaches the input device is an interface connected to a set-top box, i.e. Digital Home Communication Terminal (Para. 28, lines 9-12).

Regarding claim 7, Kaminski teaches the input points are associated with a shape and said associated interface screens display said shape, i.e. "C" enclosed within a circle (Fig. 4, el. 473; Fig. 8).

Regarding claim 8, a computer program product, (Para. 53, lines 1-3), comprising:

a computer usable medium having computer readable program code means, (Fig. 3, el. 249, 277), embodied therein for enabling access to one or more interface screens associated with a video recorder (Para. 78, lines 6-11), comprising:

computer readable program code means for causing a computer to provide one of said interface screens (Para. 78, lines 6-11);

computer readable program code means for causing a computer to provide an input device having one or more input points (Fig. 4, el. 471, 472, 473);

computer readable program code means for causing a computer to associate each of said input points with each of said interface screens (Para. 78, lines 6-11; Fig. 8); and

computer readable program code means for causing a computer to enable access to any of said one or more interface screens by actuating one of said input points with a single keystroke (Para. 78, lines 6-11).

Regarding claim 9, claim is analyzed with respect to claim 2.

Regarding claim 10, claim is analyzed with respect to claim 3.

Regarding claim 11, claim is analyzed with respect to claim 4.

Regarding claim 14, claim is analyzed with respect to claim 7.

Regarding claim 15, Kaminski teaches an arrangement of interface screens associated with a video recorder (Para. 53, lines 1-3), comprising:

an input device having at least a first, a second, and a third input point (Fig. 4, el. 471, 472, 473, 421);

a first interface screen associated with said first input point, i.e. Play button associated with the Play video screen (Para. 78, lines 6-11);

a second interface screen associated with said second input point, i.e. "B" button associated with recording options screen (Para. 78, lines 6-11); and

a third interface screen associated with said third input point, i.e. "C" button associated with the recording schedule screen (Para. 78, lines 6-11),

wherein a user is able to access any of said first, second, and third interface screens by actuating any one of said input points with a single keystroke (Para. 78, lines 6-11).

Regarding claim 16, claim is analyzed with respect to claim 2.

Regarding claim 17, claim is analyzed with respect to claim 3.

Regarding claim 18, claim is analyzed with respect to claim 4.

Regarding claim 21, claim is analyzed with respect to claim 7.

3. Claims 22, 24, 25, 27, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis (US 2002/0174430).

Regarding claim 22, Ellis teaches an apparatus comprising:

a user interface (Para. 12, lines 1-8);

a saved show screen (Fig. 36);  
a recording schedule screen (Fig. 43); and  
a series manager screen (Fig. 10, 11),  
wherein said user interface is configured to display said saved show screen, said recording schedule screen, and series manager screen at a single level (Para. 13, lines 1-10; Para. 14, lines 1-12; Para. 221, lines 1-21).

Regarding claim 24, Ellis teaches a video recorder for recording one or more shows (Fig. 2A, el. 208); and  
a local storage configured to store one or more of said shows (Para. 4, lines 1-9).

Regarding claim 25, Ellis teaches the saved show screen displays information on said recorded and stored shows, i.e. TV rating (Fig. 36).

Regarding claim 27, Ellis teaches the recording schedule screen displays information on shows to be recorded in the future, i.e. times to be recorded, show ratings (Fig. 43).

Regarding claim 28, Ellis teaches the series manager screen displays information on one or more shows, i.e. day and time to record each episode, that

will be repeatedly transferred to said local storage under conditions (Fig. 11; Para. 14, lines 1-12).

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5, 12, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminski in view of Ellis.

Regarding claim 5, Kaminski teaches all elements of claim 1.

Kaminski teaches the interface screens include a recording schedule screen (Para. 78, lines 6-11) and a saved shows screen (Fig. 8).

Kaminski does not clearly teach the interface screens include a series manager screen.

Ellis teaches interface screens include a series manager screen (Fig. 10, 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's interface screens to include a series manager screen, as taught by Ellis, so to enable the user to delete an individual episode in a series.



Regarding claim 12, Kaminski teaches all elements of claim 8.

Kaminski teaches the interface screens include a recording schedule screen (Para. 78, lines 6-11) and a saved shows screen (Fig. 8).

Kaminski does not clearly teach the interface screens include a series manager screen.

Ellis teaches interface screens include a series manager screen (Fig. 10, 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's interface screens to include a series manager screen, as taught by Ellis, so to enable the user to delete an individual episode in a series.

Regarding claim 19, Kaminski teaches all elements of claim 15.

Kaminski teaches the interface screens include a recording schedule screen (Para. 78, lines 6-11) and a saved shows screen (Fig. 8).

Kaminski does not clearly teach the interface screens include a series manager screen.

Ellis teaches interface screens include a series manager screen (Fig. 10, 11).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's interface screens to

include a series manager screen, as taught by Ellis, so to enable the user to delete an individual episode in a series.

3. Claims 6, 13, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaminski in view of Knee (US 5,589,892).

Regarding claim 6, Kaminski teaches all elements of claim 1.

Kaminski does not clearly teach the input points are associated with a color and said associated interface screens are also associated with said color.

Knee teaches input points that are associated with a color and associated interface screens are also associated with said color (Col. 30, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's remote control keys and interface screens to have the color-coded keys of Knee's remote control and the color-coding of the displayed background of Knee's program guide so to enable a new user to quickly learn that a particular remote control button corresponds to a particular screen through color coordination.

Regarding claim 13, Kaminski teaches all elements of claim 8.

Kaminski does not clearly teach the input points are associated with a color and said associated interface screens are also associated with said color.

Knee teaches input points that are associated with a color and associated interface screens are also associated with said color (Col. 30, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's remote control keys and interface screens to have the color-coded keys of Knee's remote control and the color-coding of the displayed background of Knee's program guide so to enable a new user to quickly learn that a particular remote control button corresponds to a particular screen through color coordination.

Regarding claim 20, Kaminski teaches all elements of claim 15.

Kaminski does not clearly teach the input points are associated with a color and said associated interface screens are also associated with said color.

Knee teaches input points that are associated with a color and associated interface screens are also associated with said color (Col. 30, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kaminski's remote control keys and interface screens to have the color-coded keys of Knee's remote control and the color-coding of the displayed background of Knee's program guide so to enable a new user to quickly learn that a particular remote control button corresponds to a particular screen through color coordination.

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Knee (US 5,589,892).

Regarding claim 23, Ellis teaches all elements of claim 22.

Ellis does not teach a user input device configured so that a user moves between said screens using a single keystroke.

Knee teaches a user input device configured so that a user moves between favorite channel list screens using a single keystroke (Col. 30, lines 50-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis' remote control to have Knee's favorite channel list keys and have them correspond to Ellis' interface screens so to enable the user to be watching a television program and access a recorded show instead of navigating through a myriad of menus.

5. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of Boyle (US 7,027,716).

Regarding claim 26, Ellis teaches all elements of claim 22 and 24.

Ellis does not clearly teach the saved show screen displays a recording in progress icon.

Boyle teaches a program guide that displays a recording in progress icon (Fig. 7A, el. 80; Col. 8, lines 7-10).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ellis's saved show screen to display Boyle's recording in progress icon so to enable a user to cancel a recording while in progress to free up storage space in the PVR.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy Duffield whose telephone number is (571) 270-1643. The examiner can normally be reached on Mon.-Thurs. 7:30 A.M.-5:00 P.M. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hai Tran can be reached on (571) 272-7305. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 26, 2007  
JSD

/Hai Tran/  
Supervisory Patent Examiner, Art Unit 4178